In the High Court of Judicature at Madras

Dated: 02.09.2004

Coram

The Honourable Mr. Justice P.K.MISRA

and

The Honourable Mr. Justice A.K.RAJAN

W.P.No.25086 of 2004

D. Subramanyam .. Petitioner

-Vs-

1. The District Elementary Educational
Officer, Dharmapuri.

2. The Chief Educational Officer,
Dharmapuri.

3. The Registrar,
Tamil Nadu Administrative Tribunal,
Chennai. .. Respondents

Writ Petition filed under Article 226 of the Constitution of India
praying for the issue of writ of mandamus directing the third respondent to
permit the petitioner to withdraw O.A.No.6300/98 pending on the file of Tamil
Nadu Administrative Tribunal.

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for petitioner : Ms. K. Suguna

for respondents: Mr. P.Rathinavelu
1 and 2 Govt. Advocate

:ORDER
(Order of the court was made by
P.K.Misra,J)

Heard Ms. K. Suguna, learned counsel for the petitioner and Mr. P. Rathinavelu, learned Government Advocate, who accepts notice.

2. The petitioner had filed Original Application No.6300 of 1998 which is still pending before the Tamil Nadu Administrative Tribunal. In the present writ petition, the petitioner prays that he may be permitted to withdraw the aforesaid Original Application. Since the Tribunal is not functioning, in the facts and circumstances of the case, we allow the writ petition and direct that O.A.No.6300 of 1998 shall be treated to have been dismissed as withdrawn. No costs.

To
1. The District Elementary Educational
Officer, Dharmapuri.

2. The Chief Educational Officer,
Dharmapuri.

3. The Registrar,
Tamil Nadu Administrative Tribunal,
Chennai.